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REMARKS

This is a full and timely response to the outstanding Office action mailed July 5, 2005. Upon entry of the amendments in this response claims 1-16 are pending. More specifically, claims 1, 6, 11, and 16 are amended and claims 17-20 are canceled. These amendments are specifically described hereinafter. It is believed that the foregoing amendments add no new matter to the present application.

Applicant first respectfully contends that claim 16, as substantially amended, is certainly allowable at this point. No reference or combination thereof discloses or suggests claim 16 in its entirety. In other words, Applicant feels confident that the embodiment of the lengthy claim 16 is allowable over the cited references. Applicant submits that because of the uniqueness of the original claim elements, and especially those added into claim 16, claim 16 is clearly distinguished from all prior references. It is respectfully requested that the Examiner give serious consideration to allowing claim 16 in particular.

I. Present Status of Patent Application

Claims 1, 2, 6, 7, 11, 12, 16 and 17 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Jiang* (U.S. Patent No. 6,385,641) in view of *Pirolli et al.*, (U.S. Patent No. 6,098,064) in view of *Adar et al.*, (U.S. Patent No. 6,493,702). Claims 3-5, 8-10, 13-15 and 18-20 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Jiang*, *Pirolli*, and *Adar*, in view of *Barrett et al.*, (U.S. Patent No. 5,727,129). To the extent that these rejections have not been rendered moot by the cancellation of claims, they are respectfully traversed.

II. Examiner Interview

Applicant wishes to express sincere appreciation for the time that Examiner Chankong spent with Applicants' Attorneys Jeffrey Kuester and Benjamin Balser during an August 18, 2005 telephone discussion regarding the above-identified Office Action. During that conversation, Examiner Chankong seemed to indicate that it would be potentially beneficial for

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Applicants to file this amendment and response. Thus, Applicants respectfully request that Examiner Chankong carefully consider this amendment and response.

III. Rejections Under 35 U.S.C. §103(a)

A. Claims 1-5

Claims 1 and 2 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Jiang* (U.S. Patent No. 6,385,641) in view of *Pirolli et al.*, (U.S. Patent No. 6,098,064) in view of *Adar et al.*, (U.S. Patent No. 6,493,702). Claims 3-5 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Jiang*, *Pirolli*, and *Adar*, in view of *Barrett et al.*, (U.S. Patent No. 5,727,129). For the reasons set forth below, Applicants respectfully traverse the rejection.

Independent claim 1 as amended recites:

1. A system for facilitating communication between a user and a network of information items, comprising:
 - a remote data storage device for storing the information items, wherein the information items are stored in the form of pages, and wherein the pages contain a plurality of links to other information items;
 - a multi-layer architecture comprising:
 - a client device having a user interface program thereon, for allowing a user to interface with the network and request the information items; and
 - a server device, in communication with the client device and in communication with the remote storage device, for handling information requests from multiple clients and for storing information retrieved from the data storage devices locally in a server cache memory;
 - a data collection module for collecting and storing successive actions of a particular authenticated user; and
 - a probability module in communication with the data collection module for calculating a probability for the desirability of the links by the particular user and for comparing

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the probability to a predetermined threshold value to identify predicted links and for retrieving the predicted information items associated with the links from the remote data storage devices and *enabling the storage of the predicted information items on all layers of the multi-layer architecture in advance of the particular user's request for the selected information items.*

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §103, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 1 as amended is allowable for at least the reason that none of *Berstis*, *Adar* nor *Barrett* alone or in combination disclose, teach, or suggest at least **enabling the storage of the predicted information items on all layers of the multi-layer architecture in advance of the particular user's request for the selected information items.**

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of independent claim 1. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why independent claim 1 is allowable.

Moreover, the Office action has included a conclusion that "[t]he use of proxy servers is well known and ubiquitous in the art for providing a centralized means for storing user information and enable users to access their cached pages from any computer that is attached to the proxy." See *Office Action*, page 4, section 5. Applicants traverse this finding that the subject matter is well known and ubiquitous. Particularly in the context of the claimed combination that includes a data collection module for collecting and storing successive actions of a particular authenticated user and a probability module in communication with the data collection module for calculating a probability for the desirability of the links by the particular user, the subject matter alleged to be well-known is too complex for a reasonably skilled person to consider it to be well-known to the point that no additional evidence is needed. Therefore, the well known conclusion is improper and should be withdrawn.

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Because independent claim 1 is allowable over the cited art of record, dependent claims 2-5 (which depend from their independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-5 contain all the steps/features of their respective independent claim 1. Therefore, the rejection to claims 2-5 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1 dependent claims 2-5 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 2-5 are allowable.

B. Claims 6-10

Claims 6 and 7 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Jiang* (U.S. Patent No. 6,385,641) in view of *Pirolli et al.*, (U.S. Patent No. 6,098,064) in view of *Adar et al.*, (U.S. Patent No. 6,493,702). Claims 8-10 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Jiang*, *Pirolli*, and *Adar*, in view of *Barrett et al.*, (U.S. Patent No. 5,727,129). For the reasons set forth below, Applicants respectfully traverse the rejection.

Independent claim 6 as amended recites:

6. A method for facilitating communication between a user and a network of information items, comprising:
- providing a multi-layer architecture comprising a client device and a server device;
 - storing the information items on a remote data storage device, wherein the information items are stored in the form of pages, and wherein the pages contain a plurality of links to other information items;
 - configuring the client device having a user interface program thereon, to allow a user to interface with the network and request a download of the information items;
 - configuring the server device for handling information requests from multiple clients and for storing information retrieved from the data storage devices locally in server cache memory;
 - collecting and storing successive actions of an authenticated particular user;

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calculating a probability for the links associated with the successive actions of the authenticated particular user;
comparing the probability to a predetermined threshold value;
retrieving the information items associated with the links from the remote data storage devices; and
enabling the storage of the information items on all layers of the multi-layer architecture in advance of the particular user's request for the selected information items.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §103, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 6 as amended is allowable for at least the reason that that none of *Berstis*, *Adar* nor *Barrett* alone or in combination disclose, teach, or suggest at least ***enabling the storage of the information items on all layers of the multi-layer architecture in advance of the particular user's request for the selected information items.***

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of independent claim 6. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why independent claim 6 is allowable.

Because independent claim 6 is allowable over the cited art of record, dependent claims 7-10 (which depend from their independent claim 6) are allowable as a matter of law for at least the reason that dependent claims 7-10 contain all the steps/features of their respective independent claim 6. Therefore, the rejection to claims 7-10 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 6 dependent claims 7-10 recite further features and/or combinations of features, as are

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apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 7-10 are allowable.

C. Claims 11-15

Claims 11 and 12 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Jiang* (U.S. Patent No. 6,385,641) in view of *Pirolli et al.*, (U.S. Patent No. 6,098,064) in view of *Adar et al.*, (U.S. Patent No. 6,493,702). Claims 13-15 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Jiang*, *Pirolli*, and *Adar*, in view of *Barrett et al.*, (U.S. Patent No. 5,727,129). For the reasons set forth below, Applicants respectfully traverse the rejection.

Independent claim 11 as amended recites:

11. A method for facilitating communication between a user and a network of information items, comprising:
- means for providing a multi-layer architecture comprising a client device and a server device;
 - means for storing the information items on a remote data storage device, wherein the information items are stored in the form of pages, and wherein the pages contain a plurality of links to other information items;
 - means for configuring the client device having a user interface program thereon, to allow a user to interface with the network and request a download of the information items;
 - means for configuring the server device for handling information requests from multiple clients and for storing information retrieved from the data storage devices locally in server cache memory;
 - means for collecting and storing successive actions of an authenticated particular user;
 - means for calculating a probability for the links associated with the successive actions of the authenticated particular user;
 - means for comparing the probability to a predetermined threshold value;

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means for retrieving the information items associated with the links from the remote data storage devices; and

means for enabling the storage of the information items on all of the layers of the multi-layer architecture in advance of the particular user's request for the selected information items.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §103, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 11 as amended is allowable for at least the reason that none of *Berstis*, *Adar* nor *Barrett* alone or in combination disclose, teach, or suggest at least **means for enabling the storage of the information items on all of the layers of the multi-layer architecture in advance of the particular user's request for the selected information items.**

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of independent claim 11. Notwithstanding, no such teaching can be identified anywhere within these references. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why independent claim 11 is allowable.

Because independent claim 11 is allowable over the cited art of record, dependent claims 12-15 (which depend from their independent claim 11) are allowable as a matter of law for at least the reason that dependent claims 12-15 contain all the steps/features of their respective independent claim 11. Therefore, the rejection to claims 12-15 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 11 dependent claims 12-15 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 12-15 are allowable.

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D. Claim 16

Claim 16 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Jiang* (U.S. Patent No. 6,385,641) in view of *Pirolli et al.*, (U.S. Patent No. 6,098,064) in view of *Adar et al.*, (U.S. Patent No. 6,493,702). For the reasons set forth below, Applicants respectfully traverse the rejection.

Independent claim 16 as amended recites:

16. A first network for facilitating communication between a user and a network of information items, comprising:

- a remote data storage device for storing the information items, wherein the information items are stored in the form of pages, and wherein the pages contain a plurality of links to other information items;
- a multi-layer architecture comprising:
 - a client device having a user interface program thereon, for allowing a user to interface with the network and request a download of the information items;
 - a server device, in communication with the client device and in communication with the remote storage device, for handling information requests from multiple clients and for storing information retrieved from the data storage devices locally in server cache memory; and
- the first network;
- a data collection module for collecting and storing successive actions of an authenticated particular user; and
- a probability module in communication with the data collection module for calculating a probability for the links associated with the successive actions of the authenticated particular user, and for comparing the probability to a predetermined threshold value, and for retrieving the information items associated with the links from the remote data storage devices and *enabling the storage of the information items on*

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all layers of the multi-layer architecture in advance of the particular user's request for the selected information items;

wherein the probability module updates the probabilities assigned to the links with each successive user activity;

wherein the probability module aborts retrieving the predicted information items if the user requests an information item other than the predicted information items;

wherein the probability module continues retrieving the predicted information items from the remote data storage devices and storing the predicted information items in the server cache memory if the user requests the predicted information item; and

wherein the probability module downloads the user requested information item to the client from the server cache memory.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. § 103, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 16 as amended is allowable for at least the reason that none of *Berstis*, *Adar* nor *Barrett* alone or in combination disclose, teach, or suggest at least **enabling the storage of the information items on all layers of the multi-layer architecture in advance of the particular user's request for the selected information items.**

As shown above, the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of independent claim 16. Therefore, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why independent claim 16 is allowable.

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IV. Miscellaneous

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-16 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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